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7 UNITED STATES DISTRICT COURT
8 CENTRAL DISTRICT OF CALIFORNIA
9 WESTERN DIVISION
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11 JEFFREY PAUL PERROTTE,) No. ED CV 06-00539-JHN (VBK)
12)
13) Petitioner,) ORDER (1) ACCEPTING AND ADOPTING
14) v.) THE AMENDED REPORT AND
15) J. SALAZAR,) RECOMMENDATION OF THE UNITED
16) STATES MAGISTRATE JUDGE, AND (2)
17) DISMISSING THE PETITION FOR WRIT
18) OF HABEAS CORPUS
19) Respondent.)
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17 Pursuant to 28 U.S.C. §636, the Court has made a de novo review
18 of the Petition for Writ of Habeas Corpus ("Petition"), Respondent's
19 Answer, Petitioner's Reply and Objections, all of the records herein
20 and the Amended Report and Recommendation of the United States
21 Magistrate Judge ("Amended Report").

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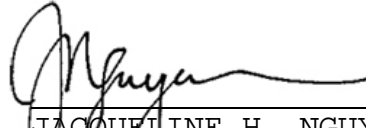
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1 **IT IS ORDERED** that: (1) the Court accepts and adopts the Amended
 2 Report and Recommendation, (2) the Court declines to issue a
 3 Certificate of Appealability ("COA");¹ and (3) Judgment be entered
 4 denying and dismissing the Petition with prejudice.

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 6 DATED: January 24, 2011



JACQUELINE H. NGUYEN
 UNITED STATES DISTRICT JUDGE

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 21 ¹ Under 28 U.S.C. §2253(c)(2), a COA may issue "only if the
 22 applicant has made a substantial showing of the denial of a
 23 constitutional right." The Supreme Court has held that, to obtain a
 24 Certificate of Appealability under §2253(c), a habeas petitioner must
 25 show that "reasonable jurists could debate whether (or, for that
 26 matter, agree that) the petition should have been resolved in a
 27 different manner or that the issues presented were 'adequate to
 28 deserve encouragement to proceed further'." Slack v. McDaniel, 529
 U.S. 473, 483-84, 120 S.Ct. 1595 (2000)(internal quotation marks
 omitted); see also Miller-El v. Cockrell, 537 U.S. 322, 336, 123 S.Ct.
 1029 (2003). After review of Petitioner's contentions herein, this
 Court concludes that Petitioner has not made a substantial showing of
 the denial of a constitutional right, as is required to support the
 issuance of a COA.